

1007

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 345

Rejection of a proposal for the use of the Plenary Powers for the benefit of the generic name *Rhina* Latreille, [1802—1803] (Class Insecta, Order Coleoptera) and addition of the generic name *Rhina* Schneider, 1801 (Class Elasmobranchii) to the *Official List of Generic Names in Zoology*; designation under the Plenary Powers for the genera *Rhinostomus* Rafinesque, 1815, and *Magdalis* Germar, 1817 (Class Insecta, Order Coleoptera) of type species in harmony with accustomed usage: validation under the Plenary Powers of the specific name *barbicornis* Latreille, [1803—1804], as published in the combination *Rhina barbicornis* (Class Insecta, Order Coleoptera)

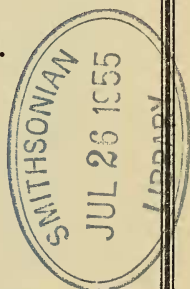
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 345

REJECTION OF A PROPOSAL FOR THE USE OF THE PLENARY POWERS FOR THE BENEFIT OF THE GENERIC NAME "RHINA" LATREILLE, [1802—1803] (CLASS INSECTA, ORDER COLEOPTERA) AND ADDITION OF THE GENERIC NAME "RHINA" SCHNEIDER, 1801 (CLASS ELASMOBRANCHII) TO THE "OFFICIAL LIST OF GENERIC NAMES IN ZOOLOGY": DESIGNATION UNDER THE PLENARY POWERS FOR THE GENERA "RHINOSTOMUS" RAFINESQUE, 1815, AND "MAGDALIS" GERMAR, 1817 (CLASS INSECTA, ORDER COLEOPTERA) OF TYPE SPECIES IN HARMONY WITH ACCUSTOMED USAGE: VALIDATION, UNDER THE PLENARY POWERS, OF THE SPECIFIC NAME "BARBICORNIS" LATREILLE, [1803—1804], AS PUBLISHED IN THE COMBINATION "RHINA BARBICORNIS" (CLASS INSECTA, ORDER COLEOPTERA)

RULING :—(1) The application for the use of the Plenary Powers for the benefit of the generic name *Rhina* Latreille, [1802—1803] (Class Insecta, Order Coleoptera) is hereby rejected, since the foregoing name is a junior homonym of the name *Rhina* Schneider, 1801 (Class Elasmobranchii), a name which has been in general use ever since it was first published over 150 years ago.

(2) The under-mentioned action is hereby taken under the Plenary Powers :—

- (a) All designations or selections of type species for the under-mentioned nominal genera made prior to the present Ruling are hereby set aside :—(a) *Rhinostomus* Rafinesque, 1815 ; (b) *Magdalis* Germar, 1817.

- (b) The nominal species *Curculio barbirostris* Fabricius, 1775, is hereby designated to be the type species of *Rhinostomus* Rafinesque, 1815.
- (c) The nominal species *Curculio violaceus* Linnaeus, 1758, is hereby designated to be the type species of *Magdalis* Germar, 1817.
- (d) The reference to *Curculio barbicornis* Fabricius, 1775, under the generic name *Rhina* made in 1802—1803 by Latreille (: 198) when establishing the nominal genus *Rhina* is hereby suppressed for the purposes of the Law of Homonymy.

(3) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Nos. 860 to 863 respectively :—

- (a) *Magdalis* Germar, 1817 (gender : feminine) (type species, by designation under the Plenary Powers under (2)(c) above : *Curculio violaceus* Linnaeus, 1758) (Class Insecta, Order Coleoptera) ;
- (b) *Platyrhina* Müller & Henle, 1838 (gender : feminine) (type species, by original designation : *Rhina sinensis* Schneider, 1801) (Class Elasmobranchii) ;
- (c) *Rhina* Schneider, 1801 (gender : feminine) (type species, by indication under *Opinion 6* : *Rhina ancylostomus* Schneider, 1801) (Class Elasmobranchii) ;
- (d) *Rhinostomus* Rafinesque, 1815 (gender : masculine) (type species, by designation under the Plenary Powers under (2)(b) above : *Curculio barbirostris* Fabricius, 1775) (Class Insecta, Order Coleoptera).

(4) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Nos. 249 to 256 respectively :—

- (a) *Analithis* Gistel, 1848 (a junior objective synonym of *Platyrhina* Müller & Henle, 1838) ;

- (b) *Discobatus* Garman, 1880 (a junior objective synonym of *Platyrhina* Müller & Henle, 1838) ;
- (c) *Magdalinus* Germar, 1843 (a junior objective synonym of *Magdalis* Germar, 1817) ;
- (d) *Rhina* Schaeffer, 1760 (a name published in a work rejected for nomenclatorial purposes) ;
- (e) *Rhina* Walbaum, 1792 (a name published in a work rejected for nomenclatorial purposes) ;
- (f) *Rhina* Latreille, [1802—1803] (a junior homonym of *Rhina* Schneider, 1801) ;
- (g) *Rhina* Rafinesque, 1810 (a junior homonym of *Rhina* Schneider, 1801) ;
- (h) *Thamnophilus* Schoenherr, 1823 (a junior homonym of *Thamnophilus* Vieillot, 1816, and a junior objective synonym of *Magdalis* Germar, 1817).

(5) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 468 to 473 respectively :—

- (a) *ancylostomus* Schneider, 1801, as published in the combination *Rhina ancylostomus* (specific name of type species of *Rhina* Schneider, 1801) ;
- (b) *barbicornis* Fabricius, 1775, as published in the combination *Curculio barbicornis* ;
- (c) *barbicornis* Latreille, [1803—1804], as published in the combination *Rhina barbicornis* and as validated under the Plenary Powers under (2)(d) above ;
- (d) *barbirostris* Fabricius, 1775, as published in the combination *Curculio barbirostris* (specific name of type species, by designation under the Plenary Powers under (2)(b) above, of *Rhinostomus* Rafinesque, 1815) ;

- (e) *sinensis* Schneider, 1801, as published in the combination *Rhina sinensis* (specific name of type species of *Platyrhina* Müller & Henle, 1838) ;
- (f) *violaceus* Linnaeus, 1758, as published in the combination *Curculio violaceus* (specific name of type species, by designation under the Plenary Powers under (2)(c) above, of *Magdalis* Germar, 1817).

(6) The title of the under-mentioned work is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* with the Name No. 29 :— Schneider (J. C.), 1760, *Epistola ad Regio-Borussicam Societatem Litterariam Duisbergensem de Studi ichthyologici faciliiori ac tutiori Methodo* (a work in which the author did not apply the principles of binominal nomenclature).

I.—THE STATEMENT OF THE CASE

On 15th November 1945 Professor J. Chester Bradley (*Cornell University, Department of Entomology, Ithaca, N.Y., U.S.A.*) submitted an application for a Ruling from the Commission on the question of the species to be accepted as the type species of the genus *Rhina* Latreille, [1802—1803] (Class Insecta, Order Coleoptera). Later, this application was recast to form a request that the Commission should use its Plenary Powers for the purpose of designating for the genus *Rhina* Latreille a type species in harmony with current usage and of taking corresponding

action in regard to the genus *Magdalis* Germar, 1817 (paragraph 6 below). The application so submitted was as follows :—

**Proposed use of the Plenary Powers to validate the generic names
“Rhina” Latreille, [1802—1803], and “Magdalis” Germar,
1817, for use respectively in their accustomed sense (Class
Insecta, Order Coleoptera)**

By J. CHESTER BRADLEY

(Department of Entomology, Cornell University, Ithaca, N. Y.)

In “An XI” of the French Revolutionary calendar (September 1802—September 1803), Latreille published the generic name *Rhina* (*Hist. nat. gén. part. Crust. Ins.* 3 : 198), (Class Insecta, Order Coleoptera). Latreille cited two species under this generic name, the second with a query. The species so cited were : “*Curculio barbicornis* F.” and “*Curculio cerasi* ? F.”.

2. Since Latreille did not at that time designate or indicate a type species and his second species is excluded as a possible type species under Rule (e), (γ) in Article 30 of the Code, the type species of this genus is *barbicornis* Fabricius, by monotypy. But the name “*barbicornis* F.” applied by Latreille to that species, was a *lapsus calami* for “*barbirostris* F.”, as is proven by the following considerations.

3. Fabricius in 1775 (*Syst. Ent.* : 134) described one species under the name *Curculio barbicornis* and on the following page (: 135) a second species under the name *Curculio barbirostris*. Of *C. barbicornis* he says amongst other things : “Rostrum corpore longius . . . Antennae . . . filiformes, hirtae, articulis undecim cylindricis versus apicem rostri insertae . . .”. But Latreille, when publishing the generic name *Rhina*, wrote of the species which he then mistakenly called “*barbicornis* F.” : “Trompe de la longueur de la moitié du corps . . . le huitième article des antennes formant la massue”. Under the generic description Latreille wrote : “Antennes insérées vers le milieu des côtés de la trompe”.

	<i>barbicornis</i> F.	<i>barbicornis</i> Latreille
Rostrum	as long as body	one half as long as body
Antennae	filiform	with a club
:	of eleven segments	of eight segments
:	inserted towards the apex of the beak	inserted towards the middle of the beak

4. The nominal species *Curculio barbirostris* Fabricius is ordinarily identified with a very large common Neotropical weevil with which the description given by Fabricius agrees in all respects, including such conspicuously characteristic matters as the bearded beak (but this is sexual) and the tridentate anterior femora. The characters given by Latreille for "*barbicornis* F.", although not in all respects those mentioned by Fabricius for *C. barbirostris*, agree perfectly with the insect itself, including the statement made in the generic description in regard to the antennae: "le huitième ou neuvième article paroissant former à lui seul une massue tres-allongé, ellipsoïde".

5. The nominal species *Curculio barbicornis* Fabricius, 1775, is ordinarily identified with a large and common New Zealand species of BRENTIDAE now placed in the genus *Lasiorhynchus* Dejean.

6. It seems clearly apparent that Latreille, confused by the two similar Fabrician names appearing on facing pages of the same work, simply wrote "*barbicornis* F." when he meant "*barbirostris* F."

7. In volume 11 of his *Histoire naturelle des Crustacés et des Insectes* (1804 : 101) Latreille wrote further of his genus *Rhina*. In volume 3 he had been giving a synopsis of the genera with brief mention of species. In volume 11 he treated each genus more fully. He now dwelt upon the essential characters of the genus *Rhina* and there again included two species, which I believe he meant to be the same two ; but he rectified his error in regard to the name of the first, which he now called *Rhina barbirostris*, citing as a synonym *Lixus barbirostris* F. (but making no mention of the fact that he himself had previously called it *barbicornis*). In the meanwhile he had evidently realised that his second species was not *cerasi* F. and rechristened it *Rhina barbicornis* (Authors currently list both *barbicornis* Latreille and *cerasi* F. in the same genus but as distinct species.) But the species which Latreille now called *Rhina barbicornis* was a totally different *barbicornis* from *Curculio barbicornis* Fabricius ; in the light of current knowledge it is a well-known European species of the genus *Magdalis* Germar, 1817, which is now also adventive in North America, and a species of some economic importance.

8. Latreille in 1810 (*Consid. gén. Crust. Arach. Ins.* : 431) cited "*Lixus barbirostris* F." as the type species of *Rhina*, without mentioning other species.

9. Current usage (e.g., Csiki, *Coleopt. Catalogus* 149 : 87, published in 1936) employs the name *Rhina* as though *C. barbirostris* F. were the type species, although there has been some attempt to make it replace the *Magdalis*, the type genus of the sub-family MAGDALINAE,

which it could only do if the second species (first called by Latreille "cerasi? F." and later named by that author *barbicornis* as a new species) were the type species.

10. The method to be pursued in determining the type species of a nominal genus, which, as in the present case, was based upon a misidentified type species, has twice in the past been the subject of rulings by the Commission (in *Opinions* 65 and 168 respectively) and in 1948 was further clarified by the Thirteenth International Congress of Zoology, which agreed to the insertion in the *Règles* of an express provision on this subject. This new provision makes it clear that an author who publishes a name for a genus is "to be assumed to have identified correctly the nominal species referred by him to the genus so named and therefore that, where . . . the original author himself designates or indicates, or the same or some other author later selects, one of the originally included nominal species to be the type species of the genus, the designation, indication or, as the case may be, the selection so made, is not to be rejected on the ground that the original author misidentified some other nominal species with that nominal species, but that, where there are grounds for considering that such species had been misidentified by the original author of the genus, the case is to be submitted to the International Commission on Zoological Nomenclature, which, if satisfied that the species in question had been so misidentified, is, under its Plenary Powers, to designate as the type species of the genus concerned, either (a) the species intended by the original author when citing the name of the erroneously determined species, or (b), if the identity of that species is doubtful, a species in harmony with current usage" (see 1950, *Bull. zool. Nomencl.* 4 : 158—159), except in cases where the Commission considers that greater confusion than uniformity would result from so doing. In the present case I have shown both that the species indicated by Latreille as the type species was a species which, as the result (as I believe) of a *lapsus calami*, was a misidentified species, and also that the species which Latreille intended to include in the genus *Rhina*, when he cited the name "*barbicornis* F." was the species *Curculio barbirostris* Fabricius, 1775. I have further shown that the genus *Rhina* Latreille is interpreted as though Latreille had in fact cited *C. barbirostris* Fabricius as an included species and that great confusion would result if, under a strict interpretation of the *Règles* it were necessary now to accept *Curculio barbicornis* Fabricius, 1775, as the type species of this genus. I accordingly ask the International Commission to apply to this case the procedure agreed upon in Paris, by using their Plenary Powers to designate *Curculio barbirostris* Fabricius, 1775, as the type species of the genus *Rhina* Latreille, [1802—1803].

11. Prior to the Paris Congress of 1948, the availability of the name *Rhina barbicornis* Latreille, 1804 (which, as I have explained, applies

to a well-known species of the genus *Magdalis*) would have been a matter of doubt, for it might have been held that this name was invalid on account of secondary homonymy, owing to the prior (inadvertent) use by Latreille in 1802—1803 of the same binominal combination for the species, the true name of which is *Curculio barbirostris* Fabricius, 1775. Under the Paris decisions (1950, *Bull. zool. Nomencl.* 4 : 118—125) a name is not to be rejected on the ground of secondary homonymy if the two species concerned are no longer regarded as congeneric and if, during the period when they were regarded as belonging to the same genus, no author replaced the later published of the two names in question. Under this decision the new name *Rhina barbicornis* Latreille, 1804 (which belongs to the species now regarded as referable to the genus *Magdalis*) is not invalidated by the prior use by Latreille of the same binominal combination for *Curculio barbirostris* Fabricius, as it was never replaced on the ground that it was a secondary homonym by any author who considered the two species congeneric. In order, however, to underline the fact that the trivial name *barbicornis* Latreille, 1804, as published in the binominal combination *Rhina barbicornis*, is an available name, it is desirable that this trivial name should now be placed on the *Official List of Specific Trivial Names in Zoology*.

12. Although, as explained, the generic name *Rhina* Latreille [1802—1803], is in general use, it has in the past been suggested that it was invalid, on the ground that it was a junior homonym of *Rhina* Schaeffer, 1760, and of *Rhina* Walbaum, 1792 (in a reprint of Klein, 1744), both of which are names which have been applied to genera of fish. It was for this reason that Rafinesque in 1815 (*Analyse* : 165) replaced the name *Rhina* Latreille by the substitute name *Rhinostomus*. Rafinesque was, however, mistaken in rejecting the name *Rhina* Latreille, which is not a homonym of any available name of older date and is perfectly valid¹. Of the two names, by which it was alleged that Latreille's name *Rhina* was preoccupied, the first, *Rhina* Schaeffer, 1760, was examined by the late President David Starr Jordan (1917, *Genera of Fishes*) and rejected as having been published by a non-binominal author, while the second, *Rhina* Walbaum, 1792, is unavailable nomenclatorially under the decision in the Commission's *Opinion* 21 that Walbaum's reissue of Klein's pre-1758 work does not confer availability on the names published therein.

13. In view of the decision taken by the Commission in 1948 that in future *Opinions* should deal fully with all aspects of the problem under consideration (1950, *Bull. zool. Nomencl.* 4 : 355), coupled with the instruction given to the Commission by the Congress to foster the *Official List of Generic Names in Zoology* (1950, *Bull. zool. Nomencl.* 4 : 267—269), I recommend that, at the same time that the generic

¹ As will be seen from the additional information brought forward in paragraph 15 of the present *Opinion*, this statement was made under a misapprehension of the facts.

name *Rhina* Latreille is placed on the *Official List*, there should be added thereto also the name *Magdalis* Germar, 1817, owing to the connection of that generic name with the present case through the name *Rhina barbicornis* Latreille, 1804, the name of a species currently referred to Germar's genus. (It may be noted that, prior to the Paris Congress, this well-known name, *Magdalis*, would have been considered as having been first established by Samouelle in 1819, with the definitely designated type species *Curculio aterrimus* Fabricius, 1775, since Germar in 1817 published it without any definition or description, but with included nominal species, none of which was designated or indicated as the type species. Under the liberalisation of the expression "indication" in proviso (a) to Article 25 then agreed to (1950, *Bull. zool. Nomencl.* 4 : 78—80), the name *Magdalis* Germar, 1817, acquired availability as of that date).

Type Species of *Magdalis* Germar, 1817

14. The name *Magdalis* was first used by Germar in 1817 (*Mag. Ent.* 2 : 340). No description was given and no indication except that three nominal species were included : "*Rhynch. Pruni, violaceus, aterrimus*". No authors' names were mentioned and no bibliographical references given. "*Rhynch.*" is an abbreviation of the Fabrician generic name *Rhynchaenus*.

15. The following question arises : Since Germar, 1817, in giving the specific names *Rhynch. aterrimus*, etc., to the species that he included in his new genus *Magdalis*, failed to cite the authors of those names and gave no bibliographical clue to what species were meant, (a) did he fail to establish *Magdalis* or (b) can the species named be accepted as those, if any, that at the time of his writing bore or had borne those complete specific names (i.e., generic and specific name) ?*

16. If the answer to (a) were to be "yes", then *Magdalis* was not established by Germar, 1817, nor by Samouelle, 1819, since neither gave the author's name nor any bibliographical reference to the trivial name or names. In that case the genus was established by Germar in *Neue Annalen Wetterauische Gesellsch. für die gesammte Naturkunde zu Hanau* 4 : 130. Germar here included :—

- (1) *M. violacea* Fbr., Linn., Rossi, Pzr., Payk., Laich., DeGeer, Hrbst.

* The answer to this question seems to be explicit in the action taken by the International Commission on Zoological Nomenclature at Paris in 1948 (*Bull. zool. Nomencl.* 4 : 80, concl. 13, par. 1). "A generic name published before 1st January 1931, shall be available (under Art. 25) . . . when the name, on being first published, was accompanied by no verbal definition or description, the only indication given being that provided by the citation under the generic . . . name concerned of the names of one or more previously published nominal species." Since the *only* requirement is the *name* of the species, the name of the author is *not* required and equally no other bibliographic reference.

- (2) *M. nassata* (descr. follows) "Ob sie vielleicht *Rhynch. carbonarius* Fabr. ist?"
- (3) *M. duplicata* (descr. follows) "Vielleicht *Curculio cerasi* L. und vielleicht auch *Curculio cerasi* Hrbst., Payk. (mas)".
- (4) *M. aterrima* Fbr., Hrbst., Oliv.
- (5) *M. cerasi* Fbr., Clairv., Hrbst. (fem.).
- (6) *M. Lymexylon* Fbr., Panz., Payk., Hrbst.

No type species was either designated or indicated.

17. The first type selection known to me was by Schoenherr in 1823 (*Isis* (Oken) 2 : 1136), who there proposed *Thamnophilus* as a substitute name for *Magdalis*, designated *Rhynch. violaceus* auct. as type species and therefore *ipso facto* made it also the type species of *Magdalis*.

18. If, on the other hand (as appears inevitable from reasons stated in the preceding footnote), the answer to (b) is "yes", then it becomes necessary to ascertain whether any or all of three nominal species bearing the names "*Rhynch.*" (i.e., *Rhynchaenus*) "*Pruni.*, *violaceus* and *aterrimus*" stood in the genus *Rhynchaenus* in the year 1817 or had earlier been placed in it. We need here only consider *aterrimus*. In *Syst. Eleuth.* (2 : 486), Fabricius transferred *Curculio aterrimus* (see 1792, *Ent. Syst.* 1 : 439, No. 189) to *Rhynchaenus*. This was the species which Germar meant by "*Rhynch. aterrimus*" in 1817, a fact which he himself corroborated in 1819 by giving a reference to Fabricius as the first authority cited after his "*Magdalis aterrima*".

19. If, therefore, citation of "*Rhynch. aterrimus*" and others is accepted as adequate to validate the publication of the generic name *Magdalis*, and it is apparent that it must be, then Samouelle in 1819 validly selected the originally included species *R. aterrimus* as its type species.*

* Samouelle, George. The Entomologists' useful Compendium, 1919, p. 204. "In . . . Germar's and Zincker Sommer's Magazin de Entomologie, v. 111 [*sic!*, should read 11] for 1817, notice is given of the following genera lately established (the species mentioned may be considered the types).

"Genus *Magdalis* Germar. Sp. 1. *aterrimus*."

(Then followed eight more genera, in one or two instances, two species being mentioned under each).

In the two cases where Samouelle named two species, he did not effect a type-selection. In the other cases he certainly did, under even the most rigorous construction.

The identity of *Rhynchaenus aterrimus*

20. Schenkling, in the *Coleopterorum Catalogus*, and other authors attribute *Magdalis aterrima* to Fabricius. But Fabricius never had any intention of establishing a new species under that name, and no act of his could be construed as doing so. He first mentioned *aterrimus* as a species of *Curculio* in 1792 (*Ent. syst.* 2 : 439, No. 189), but in doing so cited *Curculio aterrimus* Linnaeus, *Syst. Naturae* and *Fauna suecica*. In 1801 (*Syst. Eleuth.* 2 : 486, No. 225) he transferred *Curculio aterrimus* Linnaeus to his new genus *Rhynchaenus*, citing *Curculio aterrimus* by name, and giving a reference to his own *Ent. syst.* as well as both the Linnean references above mentioned.

21. Consequently, only one species has been established, namely, *Curculio aterrimus* Linnaeus, changed in 1801 to *Rhynchaenus aterrimus* (Linnaeus) Fabricius and in 1817 to *Magdalis aterrima* (Linnaeus) Germar.

22. While I am not familiar with the taxonomy of these beetles, and have no basis for a subjective opinion as to what actual species Linnaeus meant by *Curculio aterrimus*, it is clear that coleopterists are in doubt. This is evident from the fact that Schenkling (*Coleopterorum Catalogus* 29 (pt. 141) : 12) refers under *Magdalis* to "*aterrima* Fabricius" (as a synonym of *armigera* Geoff., 1785), but gives no reference to *aterrimus* Linnaeus, and that Wagner (*loc. cit.* 28 (pt. 6) : 40) cites *Curculio aterrimus* Linnaeus as a synonym of *Apion marchicum* Herbst. He does not query the synonymy, but since *Curculio aterrimus* Linnaeus is the older name, he either was sufficiently in doubt about the identification to be unwilling to use it to replace *marchicum*, or else he simply disregarded priority in order to avoid overthrowing that name.

23. The general presumption in all such cases is that Fabricius correctly identified *Curculio aterrimus* Linnaeus when he transferred it to *Rhynchaenus*, and that therefore Germar really meant *Curculio aterrimus* in the sense of Linnaeus when he cited *Rhynch. aterrimus* as one of the three original species of *Magdalis*. Nevertheless, in view of the strong probability that they actually were misidentifying the Linnean species, it seems appropriate that the Commission, acting under their Plenary Powers, as directed at the Paris Session, should set aside the selection by Samouelle, 1819, of *Curculio aterrimus* Linnaeus as type species of *Magdalis*, and all other selections (if any) prior to 1823, and should validate the selection of *Curculio violaceus* Linnaeus, 1758, by Schoenherr in 1823 in *Isis von Oken* (2 : 1136) as type species not only of *Thamnophilus*, which was there proposed as a substitute for *Magdalis* Germar, but also *ipso facto*, as type species of *Magdalis*.

24. It will be noted that *Curculio violaceus* Linnaeus is one of the three species originally included in *Magdalis*, that it was treated as type species of the subgenus *Magdalis* by Daniel in his revision of the subgenera, 1903, and is included in that subgenus by Schenkling in the *Coleopterorum Catalogus*, but that "*aterrima* L." is placed by Daniel as a synonym of *armigera* Geoffroy and that *Curculio aterrima* Fabricius, treated as a synonym of *armigera*, is placed by Schenkling in another subgenus.* To select *Curculio violaceus* Linnaeus as type species would therefore be to select "a species in harmony with current usage", as the Commission is now directed to do (*Bull. zool. Nomencl.* 4 : 158—159).

25. In the light of the considerations set out above, I ask the International Commission on Zoological Nomenclature to stabilize the generic names *Rhina* Latreille and *Magdalis* Germar each in its accustomed sense, by using for this purpose their Plenary Powers to such extent as may be necessary, and, having done so, to place these names on the *Official List of Generic Names in Zoology* and to take such other consequential action as may be necessary. The proposal which I accordingly submit is that the Commission should :

(1) use their Plenary Powers

- (a) to set aside all selections of type species for *Rhina* Latreille [1802—1803], and for *Magdalis* Germar, 1817, made prior to the date of the proposed decision ;
- (b) to designate *Curculio barbirostris* Fabricius, 1775, to be the type species of *Rhina* Latreille [1802—1803] ;
- (c) to designate *Curculio violaceus* Linnaeus, 1758, to be the type species of *Magdalis* Germar, 1817 ;

(2) place the under-mentioned generic names on the *Official List of Generic Names in Zoology*, with the type species specified below, together with a note that the gender of the generic names in question is that specified below :

- (a) *Rhina* Latreille, [1802—1803] (type species by designation under the Plenary Powers under (1) (b) above : *Curculio barbirostris* Fabricius, 1775) (gender of generic name : feminine*) ;

* The subgeneric name "*Magdalinus* Germar" is incorrectly applied to this subgenus. *Magdalinus* was proposed by Germar (in Schoenherr, *Gen. Spec. Curc.* 7(2) : 135, footnote) as a substitute for the preoccupied *Thamnophilus*, and therefore has *violacea* as type species. The subgenus in question probably has no valid name.

(b) *Magdalis* Germar, 1817 (type species by designation under the Plenary Powers under (1) (c) above : *Curculio violaceus* Linnaeus, 1758) (gender of generic name : feminine*);

(3) place the under-mentioned invalid or non-existent generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

- (a) *Rhina* Schaeffer, 1760 ;
- (b) *Rhina* Walbaum, 1792 ;
- (c) *Rhinostomus* Rafinesque, 1815 ;
- (d) *Thamnophilus* Schoenherr, 1823† ;
- (e) *Magdalinus* Germar, 1843‡ ;

(4) place the under-mentioned specific trivial names on the *Official List of Specific Trivial Names in Zoology* :

- (a) *barbicornis* Latreille, 1804, as published in the binominal combination *Rhina barbicornis* (a species now currently placed in *Magdalis* Germar).
- (b) *barbicornis* Fabricius, 1775, as published in the binominal combination *Curculio barbicornis* (a species now currently placed in the brentid genus *Lasiorrhynchus* Dejean) ;
- (c) *barbirostris* Fabricius, 1775, as published in the binominal combination *Curculio barbirostris* (the type species of *Rhina* Latreille) ;
- (d) *violaceus* Linnaeus, 1758, as published in the binominal combination *Curculio violaceus* (the type species of *Magdalis* Germar).

Postscript. Dated 16th October 1950. (1) The present application was originally submitted in November 1945 ; it was " advertised " in November 1947, as a case possibly involving the use by the Commission of its Plenary Powers. It was not however, brought before the Commission at its session held in Paris in July 1948, for it was realized that fresh light had been thrown on some of the issues involved through decisions in regard to the meaning of the *Règles* then taken by the International Congress of Zoology. I have since re-examined this case in the light of the Paris decisions and have, accordingly, revised the

* See Annexe.

† *Thamnophilus* was proposed by Schoenherr (1823, *Isis von Oken*, 2 : col. 1136) as a substitute for *Magdalis* with the specified type species *Curc. violacea* L.

‡ *Magdalinus* was proposed by Germar (*in* Schoenherr, 1843, *Gen. Spec. Curc.* 7(2) : 135, footnote) as a substitute name for the pre-occupied *Thamnophilus*.

application to such extent as I have found to be necessary. The revision includes a request for Plenary action involving *Magdalis* that was not previously suggested.

(2) I am informed by the Secretary to the Commission that no objection to the use of the Plenary Powers in the manner proposed in the case of the name *Rhina*, has been lodged, as the result of the "advertisement" of this case made over two years ago. I am confirmed, therefore, in the belief that the action recommended in regard to *Rhina* corresponds with the desires of interested specialists.

Annexe

Gender of *Rhina*

Pliny (32, 11, 53) used the word *rhina* in the feminine gender for a kind of shark. The word was taken over from the Greek feminine noun *ῥιννη* (a rasp or file, but also applied to a shark with a rough skin). The gender is therefore clearly feminine.

Gender of *Magdalis*

The gender is feminine, from three considerations :

(1) The name *magdalis* does not occur in that form in either Greek or Latin, except in Greek with the prefix *ἀπο-*

The Greek feminine noun *μαγδαλιά* is a later form of *ἀπομαγδαλιά*. The variant *ἀπομαγδαλις -ίδας* was also used (see Eust. 1857, 17) as a feminine noun.

(2) Greek nouns ending in *-is* are universally feminine.

(3) Germar in 1819 was the first author to combine trivial names with *Magdalis*. In doing so he placed them all in the feminine gender.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. **Registration of the present application :** On receipt of Professor Chester Bradley's communication, the question of the

species to be accepted as the type species of the genus *Rhina* Latreille, ([1802—1803], was allotted the Registered Number Z.N.(S.) 202.

3. Receipt in 1946 of a revised application asking for the designation, under the Plenary Powers, of a type species for "Rhina" Latreille, [1802—1803], in harmony with current usage : Following correspondence with the Secretary, Professor Chester Bradley addressed a letter to the Commission on 9th January 1946, in which he substituted for his earlier application a request that the Commission should use its Plenary Powers for the purpose of designating as the type species of the genus *Rhina* Latreille, [1802—1803], the nominal species *Curculio barbirostris* Fabricius, 1775, the object of this change being to secure the continued use of this generic name in its accustomed sense.

4. Issue of Public Notices in 1947 : On 20th November 1947, Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given in the manner prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The issue of these Notices elicited no objection to the use of the Plenary Powers in the manner proposed.

5. Postponement of the present application at Paris in 1948 : At the time when the Agenda was being prepared for the Session of the International Commission to be held in Paris in 1948 it was evident that the greater part of the time of that Session would be required for the consideration of the proposals which had been submitted for the clarification, amendment, and expansion of the *Règles* and that the time remaining for the consideration of applications relating to individual names would not be sufficient to permit of decisions being taken on all the applications then awaiting attention. It was inevitable therefore that some of those applications would need to be postponed. The present was one of the applications which for the foregoing reason was not brought before the Commission at its Paris Session.

6. Revision of the present application in 1950 : In the period immediately following the close of the Paris Session of the

Commission the entire resources of its Office were devoted to the preparation of the Official Record of the Proceedings of the Commission at that Session and it was not until 1950 that it was possible to resume work on applications relating to individual names submitted by specialists to the Commission for decision. Like all other applications then outstanding, the present application required certain minor revisions in order to bring it into line with the procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948, under which it became in future the duty of the Commission to place on the *Official List* and the *Official Index* of specific names any such names which in its *Opinions* it might accept as available names or, as the case might be, it might reject under its Plenary Powers or might declare to be invalid under the *Règles*. When making these formal amendments in the present application, Professor Chester Bradley took advantage of the opportunity so presented to expand his application in order to make it cover the whole field involved by adding a request that, when using its Plenary Powers for the purpose of designating as the type species of the genus *Rhina* Latreille, [1802—1803], a species (*Curculio barbirostris* Fabricius, 1775) in harmony with current usage, it should take corresponding action under the same Powers for the purpose of validating the current usage of the generic name *Magdalis* Germar, 1817, by designating the nominal species *Curculio violaceus* Linnaeus, 1758, to be the type species of the genus so named. These revisions of the present application were completed by 20th November 1950, when the final text was submitted to the Office of the Commission.

7. Publication of the present application : The present application was sent to the printer on 4th December 1950 and was published on 20th April 1951 in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (Bradley, 1951, *Bull. zool. Nomencl.* **2** : 47—55).

8. Issue of Public Notices in 1951 : Under the revised arrangements prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in

the present case was given on 20th April 1951 (a) in Part 2 of volume 2 of the *Bulletin of Zoological Nomenclature* (the Part in which Professor Chester Bradley's application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given to a number of general zoological serial publications and to certain entomological serials in Europe and America. As in the case of the Public Notice given in 1947 (paragraph 4 above), the issue of the foregoing Public Notices in 1951 elicited no objection to the use of the Plenary Powers in the manner proposed. The publication of these Notices led, however, to the submission of one letter of support. This is reproduced in the immediately following paragraph.

9. Support received from Dr. Klaus Günther (Institut für Genetik der Freien Universität Berlin) : On 5th July 1951 Dr. Klaus Günther (*Institut für Genetik der Freien Universität Berlin*) addressed the following letter to the Commission in support of the present application (Günther, 1951, *Bull. zool. Nomencl.* 6 : 89—90) :—

In the light of the considerations set out in Commission's reference Z.N.(S.) 202, I beg the International Commission on Zoological Nomenclature to rule the generic names *Rhina* Latreille, [1802—1803] and *Magdalis* Germar, 1817, to be valid names, each to be used in its accustomed sense. The International Commission on Zoological Nomenclature should use its Plenary Powers for this purpose to such extent as may be necessary. The specific proposals to which I wish to give my entire support are those submitted by Professor J. Chester Bradley (Department of Entomology, Cornell University, Ithaca, N.Y.) as given by that scholar in the *Bulletin of Zoological Nomenclature*, volume 2, Part 2, of 20th April 1951, p. 53 seq., under Points (1), (2), (3) and (4).

10. Submission by Professor Chester Bradley of a supplementary request for the use of the Plenary Powers in the present case : On 23rd October 1951 Professor Chester Bradley submitted a supplementary request for the use of the Commission's Plenary Powers in the present case, this request having as its object the use of the Plenary Powers for the purpose of suppressing for the purposes of the Law of Homonymy the reference to *Curculio barbicornis* Fabricius, 1775, under the generic name *Rhina* made by Latreille in the work in which he first published that generic name. The supplementary request so submitted by Professor

Chester Bradley was as follows (Bradley, 1952, *Bull. zool. Nomencl.* 6 : 147) :—

A supplementary point on the name “*Magdalis*” Germar, 1817
(Class Insecta, Order Coleoptera)

By J. CHESTER BRADLEY

(Department of Entomology, Cornell University, Ithaca, N. Y.)

In rewriting the case of *Rhina* and *Magdalis* (1951, *Bull. zool. Nomencl.* 2 : 47—55) to bring it into conformity with acts taken at Paris in 1948, the fact was overlooked that Pierce (1918, *Proc. ent. Soc. Wash.*, 20 : 72) did reject the name *Rhina barbicornis* Latreille, 1804, on the grounds that it is pre-occupied (by *R. barbicornis* (Fabricius), Latr.). Therefore, the conclusion (in paragraph 11) that *Rhina barbicornis* Latreille, 1804, a secondary homonym of *R. barbicornis* (Fabricius, 1775) Latreille [1802—1803], is an available name, is not fully correct. At least it requires further consideration. Since Pierce's rejection was made prior to 1951, it makes no difference that he did not regard the two as congeneric (1950, *Bull. zool. Nomencl.* 4 : 121, para. 8).

I have demonstrated (*loc. cit.* 2 : 47—48) that Latreille ([1802—1803]) transferred *Curculio barbicornis* Fabricius to *Rhina* only by some sort of *lapsus calami*, that he wrote *barbicornis* F., when he meant to write *barbirostris* F. Had it not been for this unintentional use of the wrong word, *barbicornis* Latreille, 1804, would never have been a secondary synonym of *barbirostris* (Fabricius) Latreille.

While technically it cannot be argued that homonymy did not exist, under the circumstances it would be a feeble reason (even though the later name was rejected by Pierce) for now rejecting the universally used trivial name of this economic species.

I therefore propose as necessary one further action by the Commission, to be added to those previously submitted (*loc. cit.* 4 : 53). This is, that the Commission should :

(1) Use their Plenary Powers

.
(d) to suppress for purposes of the Law of Homonymy the reference to *Curculio barbicornis* Fabricius, 1775, under the genus *Rhina*, made by Latreille [1802—1803] *Hist. nat. gén. partic. Crust. Ins.* 3 : 198.

Although the paper and an earlier one by W. D. Pierce dealing with the subject were used by me in preparing my original proposal, I am indebted to Mr. Elwood C. Zimmerman for calling my attention

to them again, and thus enabling me to note that Pierce had actually rejected the trivial name *barbicornis* Latreille, 1804, as preoccupied.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

11. Issue of Voting Paper V.P.(52)43 : On 15th May 1952, a Voting Paper (V.P.(52)43) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the names *Rhina* and *Magdalis* as set out in Points (1) to (4) on pages 53 and 54 of vol. 2 of the *Bulletin of Zoological Nomenclature*, together with the proposals in regard to the gender of the above names set out on page 55 of the above volume" [*i.e.*, the proposals submitted in the application reproduced in the first paragraph of the present *Opinion*], "and (b) the supplementary proposal numbered (1)(d) set out on page 147 of vol. 6 of the above *Bulletin*" [*i.e.*, the proposal submitted in the supplementary paper by Professor Chester Bradley reproduced in paragraph 10 of the present *Opinion*].

12. The Prescribed Voting Period for Voting Paper V.P.(52)43 : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 15th August 1952.

13. Particulars of the Voting on Voting Paper V.P.(52)43 : The state of the voting on Voting Paper V.P.(52)43 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given in the following sixteen (16) Commissioners (arranged in the order in which Votes were received) :*

Hering ; Calman ; Dymond ; Riley ; Hankó ; Bonnet ; Vokes ; do Amaral ; Pearson² ; Bradley ; Hemming ; Esaki ; Lemche ; Cabrera ; Stoll ; Boschma ;

² Commissioner Pearson exercised in this case the right conferred by the Thirteenth International Congress of Zoology, Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view, or the majority view, of other Members of the Commission (1950, *Bull. zool. Nomencl.* 4 : 50—51).

(b) *Negative Votes* :

None :

(c) *On Leave of Absence, one (1)* :

Mertens ;

(d) *Voting Papers not returned, one (1)* :

Jaczewski.

14. Declaration of Result of Vote on Voting Paper V.P.(52)43 :

On 16th August 1952, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(52)43, signed a Certificate that the Votes cast were as set out in paragraph 13 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

15. Discovery in 1954 of a flaw in the application submitted in the present case : In April 1954 the work in the Office of the Commission had reached the stage at which the next case for which an *Opinion* was due to be prepared was that relating to the generic name *Rhina* Latreille, [1802—1803]. In accordance with the standard practice in the Office of the Commission all the bibliographical references for the names involved in the foregoing case were then re-checked as a preliminary to the preparation of the proposed *Opinion*. This examination led to the discovery that the name *Rhina* Latreille, [1802—1803] (Class Insecta, Order Coleoptera), which it had been the purpose of Professor Chester Bradley's application to preserve, was a junior homonym of the generic name *Rhina* Schneider, 1801 (Class Elasmobranchii). Mr. Hemming realised immediately that an entirely new situation had been created by the discovery of this unfortunate flaw in the application submitted in the

present case. As a first step, he entered into correspondence with the ichthyologists at the British Museum (Natural History), who reported that the name *Rhina* Schneider, 1801, had been in general use for over a century and half and that its suppression under the Plenary Powers—as would be necessary if the name *Rhina* Latreille were to be validated—would be open to strong objection from the point of view of their speciality. At this stage Mr. Hemming reported the foregoing developments to Professor Chester Bradley, to whom he expressed the view that in the circumstances described above, it would no longer be right to proceed with the proposal relating to the name *Rhina* Latreille and that the proper course would be to replace that proposal with a revised proposal placing the name *Rhina* Schneider, 1801 (Class Elasmobranchii) on the *Official List of Generic Names in Zoology* and the name *Rhina* Latreille, [1802—1803], on the *Official Index of Rejected and Invalid Generic Names in Zoology*. On 22nd June 1954 Professor Chester Bradley replied, concurring in the foregoing course and asking Mr. Hemming to prepare the required application on his behalf. Accordingly on 9th July 1954 Mr. Hemming prepared the following paper in which he reported to the Commission the unfortunate developments described above and submitted revised proposals on the lines which he had agreed with Professor Chester Bradley. The paper so submitted was the following :—

**Revised proposals relating to the name “Rhina” Latreille, [1802—1803]
(Class Insecta, Order Coleoptera) and proposals relating
to “Rhina” Schneider, 1801 (Class Elasmobranchii)**

By FRANCIS HEMMING, C.M.G., C.B.E.,
*Secretary to the International Commission on
Zoological Nomenclature*

The object of the present paper is to call attention to a serious flaw which has been discovered in the proposal submitted to the Commission regarding the name *Rhina* Latreille, [1802—1803] (Class Insecta, Order Coleoptera) and to submit revised proposals prepared in the light of the discovery so made.

2. By way of introduction, it is necessary to recall that the principal object of the proposal originally submitted in this case by Professor J. Chester Bradley was to provide a legal basis for the currently accepted

usage of the generic name *Rhina* Latreille, by designating for that genus a type species in harmony with that usage. A secondary purpose was to secure the approval of the Commission for corresponding action in regard to the generic name *Magdalis* Germar, 1817 (the name of another genus in the Order Coleoptera). Professor Bradley's proposal was published in April 1951 (*Bull. zool. Nomencl.* 2 : 47—55). Public Notice of this application was given in the prescribed manner, and this elicited a letter of support from Dr. Klaus Günther (*Institut f. Genetik der Freien Universität, Berlin*). No objection to the action proposed was received from any source. On 15th May 1952, Professor Bradley's proposal was submitted to the Commission in Voting Paper V.P.(52)43 and was approved by sixteen affirmative votes to no negative votes (two Voting Papers not being returned).

3. About two months ago I reached the stage at which the problem of *Rhina* Latreille was the next case for which an *Opinion* was due to be prepared. In accordance with the standard practice in the Office of the Secretariat, all the references cited in this application were re-checked as a preliminary to the preparation of the Ruling required to give effect to the vote taken by the Commission. It was at this point that the disconcerting discovery was made which now renders it necessary to withdraw the proposal submitted by Professor Bradley and to draw up revised proposals for substitution for those previously submitted. I must explain that at the time when this application was submitted, Professor Bradley was of the belief that the name *Rhina* Latreille, [1802—1803], was an available name and that when, prior to the publication of that application, I myself checked the references, I came to the same conclusion. In Neave's *Nomenclator* (4 : 41), I found references to two usages of the name *Rhina* for fishes prior to its publication by Latreille for a genus of beetles, but the works in which these earlier names had been published were both by non-binominal authors, namely Schaeffer, 1760 and Walbaum (ex Klein). Schaeffer's book had been examined and rejected on the foregoing ground by Jordan & Evermann (1917, *Genera of Fishes*), while Walbaum's edition of Klein had already been expressly rejected by the Commission in its *Opinion* 21. Although (as already explained) it seemed at that time that *Rhina* Latreille, [1802—1803], was an available name, Professor Bradley, on my suggestion, inserted in his application an express reference to the earlier names referred to above. When this year I re-checked these references in Neave's *Nomenclator*, I noticed for the first time that, in addition to the references discussed above, he gave a third reference to the use of the name *Rhina* in fishes of a date older than that of *Rhina* Latreille. This reference had not been allotted an entry for itself but had been inserted in the same line as the reference to Schaeffer, 1760, and it was on this account that it had been overlooked at the time of the earlier search. The name in question was *Rhina* Schneider, 1801 (*in* Bloch, *Systema Ichthyologiae* : 352).

4. On discovering the existence of the foregoing name, I at once notified Professor Bradley and at the same time consulted Miss Ethelwynn Trewavas and Mr. Denys W. Tucker (*British Museum (Natural History), London*) on the question whether *Rhina* Schneider, 1801, was currently accepted as the name of a taxonomically valid genus and as to what would be their attitude to a proposal that that name should be suppressed in favour of the name *Rhina* Latreille in Coleoptera. In his reply dated 27th April 1954, with which Miss Trewavas associated herself, Mr. Tucker explained that Bloch's *Systema* was a strictly binominal work and constituted indeed one of the basic texts of ichthyology and that the name *Rhina* Schneider published in that work had been in general use ever since it was published in 1801, and he expressed the view that this name ought not to be suppressed by the Commission for the purpose of preserving its junior homonym *Rhina* Latreille in the Order Coleoptera. An extract from Mr. Tucker's letter is given in Annexe 1 to the present paper.

5. It has always been the policy of the Commission to avoid using its Plenary Powers in the interests of stability in the nomenclature of one part of the Animal Kingdom if by so doing name-changing and instability would be caused in the nomenclature of some other group. Accordingly, immediately upon the receipt of Mr. Tucker's letter, I took the view that a totally new situation had arisen and one in which it would be improper for the Commission to use its Plenary Powers to suppress the name *Rhina* Schneider, 1801, for the purpose of validating *Rhina* Latreille, [1802—1803], and therefore that the application for the use of the Plenary Powers for the purpose of designating for the latter genus a type species in harmony with current usage had lost its relevance and would have to be abandoned. I at once communicated to Professor Bradley the information which I had received from Mr. Tucker and at the same time expressed the view set out above as to the action which should be taken. Professor Bradley replied concurring in this view.

6. The next matter which called for consideration was the nature of the revised proposal which in the circumstances ought now to be placed before the Commission. So far as the name *Rhina* is concerned, it is clear that the application should ask that the name *Rhina* Schneider, 1801, in Elasmobranchs should be placed on the *Official List of Generic Names in Zoology* and that its invalid junior homonym *Rhina* Latreille, [1802—1803], should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*. Clearly also, the revised application should ask that the specific name *ancylostomus* Schneider, 1801, as published in the combination *Rhina ancylostomus*, the name of the type species of *Rhina* Schneider, 1801, should be placed on the *Official List of Specific Names in Zoology*, that name being the oldest available name for the species concerned. As will be seen from Mr. Tucker's letter, the above species became the type species of *Rhina* Schneider by indication under *Opinion* 6, that species being one of two species

included in the genus by Schneider, of which the other, *Rhina sinensis* Schneider, 1801, became in 1838 the type species by original designation of the genus *Platyrhina* Müller & Henle, 1838 (*Arch. Naturgesch.* 4(1) : 85 (also in the same year in *Mag. nat. Hist. (n.s.)* 2 : 90)). I am informed by Miss Trewavas (*in litt.*) that the genus *Platyrhina* Müller & Henle, 1838, is currently regarded as a taxonomically valid genus and that the specific name of its type species, *sinensis* Schneider, 1801, as published in the combination *Rhina sinensis*, is the oldest available such name for the species concerned. Further as pointed out by Mr. Tucker, the generic names *Analithis* Gistel, 1848 (*Nat. Thierr.* : x) and *Discobatus* Garman, 1880 (*Proc. U.S. nat. Mus.* 3 : 523) are junior objective synonyms of *Platyrhina* Müller & Henle, 1838, both of these generic names having been published as substitute names for *Platyrhina* Müller & Henle in the mistaken belief that that name was unavailable as being a junior homonym of *Platyrhinus* Schellenberg, 1798. In accordance with the Directive given by the Congress to the Commission that it should deal comprehensively with all problems arising in connection with cases submitted to it for decision, the following recommendations should be included in the revised proposal now to be submitted to the Commission :—(1) that the name *Platyrhina* Müller & Henle, 1838 (type species by original designation : *Rhina sinensis* Schneider, 1801) should be placed on the *Official List of Generic Names in Zoology* ; (2) that the name *sinensis* Schneider, 1801 (*in Bloch, Syst. Ichthyol.* : 352), as published in the combination *Rhina sinensis* (specific name of type species of *Platyrhina* Müller & Henle, 1838) should be placed on the *Official List of Specific Names in Zoology* ; (3) that the names *Analithis* Gistel, 1848, and *Discobatus* Garman, 1880, both junior objective synonyms of *Platyrhina* Müller & Henle, 1838, should be placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

7. Action on the lines indicated above would clear up the ichthyological aspects of this case, but it remains to be considered what action ought to be taken in regard to the beetle names dealt with in Professor Bradley's original application. Here there are two points of which it is necessary to take note. First, as explained in paragraph 2 above, a considerable part of Professor Bradley's application was concerned with matters which, though allied to the problem raised by the name *Rhina* Latreille, were not directly tied to that problem. In consequence the proposals submitted in connection with these matters are not adversely affected in any way by the discovery that the name *Rhina* Latreille is an invalid name. It is evident therefore that this section of the original proposals ought to be incorporated in the revised application to be submitted to the Commission. Second, it is necessary to consider what is the nomenclatorial position of the genus of beetles currently known by the invalid name *Rhina* Latreille. The material required for this purpose was supplied in the original application (: 50) by Professor Bradley who there explained that the next name for this genus was the name *Rhinostomus* (misspelt *Rino-*

stomus on the page cited above)³ Rafinesque, 1815, which had been published as a substitute for the name *Rhina* Latreille, which Rafinesque had regarded as an invalid junior homonym of the name *Rhina* as previously used in fishes. Now that it is seen that, contrary to the view till now currently held, Rafinesque was correct in rejecting the name *Rhina* Latreille, his substitute name *Rhinostomus* becomes the oldest available name for the genus of beetles concerned. Since this latter name was no more than a substitute name for *Rhina* Latreille, it takes the same type species as that name. Accordingly, if it is to be used in the sense intended by Rafinesque, it will be necessary for the Commission to use its Plenary Powers to vary its type species in precisely the manner as that which in his original application Professor Bradley recommended should be adopted in the case of the nominal genus *Rhina* Latreille, that is, it will be necessary for the Commission to designate *Curculio barbirostris* Fabricius, 1775, to be the type species of *Rhinostomus* Rafinesque, 1815.

8. The proposals included in the original application for the placing of names on the *Official Index of Rejected and Invalid Generic Names in Zoology* are unaffected by the new situation, except that naturally the name *Rhinostomus* Rafinesque, 1815, will need to be deleted. There should however be added to that *Index* the name *Rhina* Rafinesque, 1810 (*Car. n. gen.* : 14), a name which was accidentally overlooked in the original application.

9. Finally, in accordance with the procedure laid down by the Copenhagen Congress in 1953, the titles of the invalid (because non-binominal) works in which the names *Rhina* Schaeffer, 1760, and *Rhina* Walbaum, 1792, were respectively published should now be placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*. A recommendation in this sense is accordingly submitted as regards the work in which the name *Rhina* Schaeffer, 1760, was published. The work in which the name *Rhina* Walbaum, 1792, was published presents however certain difficulties, for, although part of that work has already been rejected by the Commission in its *Opinion* 21, the remainder of it has not yet been examined in detail for the purpose of determining whether in any part of it the nomenclature employed was binominal in character. Everything suggests that the whole work is non-binominal and that all of it ought to be placed on the *Official Index*. Pending an examination of this question, it would, I consider, be inconvenient, because possibly misleading, to place on the *Official Index* the single volume which has already been rejected by the Commission. Accordingly, it is proposed to examine this matter as quickly as possible with a view to the submission to the Commission of a comprehensive recommendation, and for this purpose the Registered Number Z.N.(S.) 847 has been allotted to this question. For the moment therefore no proposal is

³ This misspelling has been corrected in the version of Professor Bradley's application reproduced in the first paragraph of the present *Opinion*.

submitted for the addition to the *Official Index of Rejected and Invalid Works* in respect of the works published by Walbaum.

10. Having completed the foregoing survey of the action which the Commission should be recommended to take in view of the change in the situation described in paragraphs 3 and 4 above, I submitted my conclusions to Professor Chester Bradley, at the same time enquiring how he would wish that this matter should be laid before the Commission. In a reply (dated 7th June 1954) just received, Professor Bradley has asked me to make the required submission to the Commission and to include in that submission a statement that the action now recommended has his full approval and support. I accordingly now submit in Annexe 2 to the present note the revised proposal which I have prepared on the lines explained in paragraphs 6 to 9 above.

A N N E X E 1

Extract from a letter dated 27th April 1954, from Mr. Denys W. Tucker (British Museum (Natural History), London)

The following reply to your query concerning the use of the generic name *Rhina* is made with Dr. Trewavas's approval.

(1) It would be well to give you the lay-out of the title-page so as to indicate precisely the nature of the work :—

.

M. E. BLOCHII,
DOCTORIS MEDICINAE BEROLINENSIS, ET SOCIETATIBUS
LITERARIIS MULTIS ADSCRIPTI,
SYSTEMA ICHTHYOLOGIAE
ICONIBUS CX ILLUSTRATUM

POST OBITUM AUCTORIS OPUS INCHOATUM ABSOLVIT,
CORREXIT, INTERPOLAVIT
JO. GOTTLÖB SCHNEIDER,
SAXO

BEROLINI,
SUMPTIBUS AUCTORIS IMPRESSUM ET BIBLIOPOLIO
SANDERIANO COMMISSUM. 1801.

.

There is sometimes a little confusion in the correct citation of this work, but there is no doubt that genera and species proposed should properly be attributed to Schneider. The *Systema Ichthyologiae*

is one of the basic texts of ichthyology, it is a validly published work, and it does correctly apply the principles of binominal nomenclature.

(2) *Rhina* Schneider (1801), (nec (*ex* Klein) Walbaum (1792)), is in current use by ichthyologists.

To amplify this a little :—

Schneider (1801), *op. cit.*, p. 352, proposed *Rhina* with an adequate diagnosis, and gives, in order, *ancylostomus* and *sinensis* as the two species.

R. sinensis was made the type of a new genus *Platyrhina* by Müller & Henle (1838, *Mag. nat. Hist.* (n.s.) 2 : 90 ; *Arch. f. Naturg.* VI(1) : p. 85) ; synonymous with this, and with the same type species are *Analithes* Gistel (1848) and *Discobatus* Garman (1880). *Rhina* Schneider thus became restricted to *R. ancylostomus* Schneider from the Indo-Pacific, and remains monotypic.

The combination *Rhina ancylostoma* has been in very general use since its proposal, but the species has been nominated as the type species of two generic synonyms, viz. *Demiurga* Gistel, 1848, and *Rhamphobatis* Gill (1862) (*post.* (3)), these authors having accepted *Rhina* (*ex* Klein) Walbaum, 1792.

Now for the use of the combination *Rhina ancylostoma*. I have taken the following list *verbatim*, without checking, from Cantor, T., 1850, "Catalogue of Malayan Fishes", Calcutta, p. 409. Obviously if you wish to cite this it will be necessary to expand the titles and check each reference and this I shall be most willing to do, but for the present the secondhand list will serve :—

- Rhina ancylostomus*, Bloch-Schneider, 352, Tab. 72.
 " " , Cuvier, R. A. II. 396 (3).
 " " , Gray : Ill. Ind. Zool. II. Pl. 102, Fig. 2.
 (Teeth).
 " " , Swainson, II. 322.
 " " , Agassiz : Tab. II. Fig. 3, 4. (Teeth.)
 " " , Owen : Odontogr. Pl. 23. (Teeth.)
 " " , Müller und Henle, 110. (Very young.)
 " " , Richardson : Report, 1845, 195.

and, of course, Cantor himself.

Günther, A., 1870, *Cat. Fish. Brit. Mus.* 8 : 440 is best left out of the discussion if possible, because he becomes confused and puts his

species as *Rhynchobatus ancylostomus* along with *R. djeddensis* to which it is not related.

The most recent use of *Rhina ancylostomus* that I know is that of G. P. Whitley, 1940, *The Fishes of Australia* Part 1. Sharks, Rays . . . Sydney, P. 179. It applies, in one work and correctly, *Rhina sensu* Schneider and *Squatina sensu* Dumeril.

(3) We are opposed to the suppression of *Rhina* Schneider in favour of *Rhina* Latreille in Coleoptera, on the grounds that the former has clear priority and that the original combination *Rhina ancylostoma* Schneider has been in general use in Pisces since 1801.

ANNEXE 2

“*Rhina*” Latreille, [1802—1803] (Class Insecta, Order Coleoptera) and “*Rhina*” Schneider, 1801 (Class Elasmobranchii) : Revised proposals prepared for the consideration of the International Commission on Zoological Nomenclature

The International Commission on Zoological Nomenclature is now asked :—

- (1) to reject the application for the use of its Plenary Powers for the benefit of the generic name *Rhina* Latreille, [1802—1803] (Class Insecta, Order Coleoptera), since the foregoing name is a junior homonym of the generic name *Rhina* Schneider, 1801 (Class Elasmobranchii), a name which has been in general use ever since it was published over 150 years ago.
- (2) to use its Plenary Powers :—
 - (a) to set aside all designations or selections of type species for the nominal genera *Rhinostomus* Rafinesque, 1815, and *Magdalis* Germar, 1817, made prior to the decision now recommended ;
 - (b) to designate *Curculio barbirostris* Fabricius, 1775, to be the type species of *Rhinostomus* Rafinesque, 1815 ;
 - (c) to designate *Curculio violaceus* Linnaeus, 1758, to be the type species of *Magdalis* Germar, 1817 ;
 - (d) to suppress for the purposes of the Law of Homonymy the reference to *Curculio barbicornis* Fabricius, 1775, under the generic name *Rhina* made in 1802—1803 by Latreille (: 198), when establishing the nominal genus *Rhina* ;

(3) to place the under-mentioned generic names on the *Official List of Generic Names in Zoology* :—

- (a) *Magdalis* Germar, 1817 (gender : feminine) (type species, by designation under the Plenary Powers under (2)(c) above : *Curculio violaceus* Linnaeus, 1758) (Class Insecta, Order Coleoptera) ;
- (b) *Platyrhina* Müller & Henle, 1838 (gender : feminine) (type species by original designation : *Rhina sinensis* Schneider, 1801 (Class Elasmobranchii) ;
- (c) *Rhinostomus* Rafinesque, 1815 (gender : masculine) (type species by designation, under the Plenary Powers, under (2)(b) above ; *Curculio barbirostris* Fabricius, 1775) (Class Insecta, Order Coleoptera) ;
- (d) *Rhina* Schneider, 1801 (gender : feminine) (type species by indication under *Opinion 6* : *Rhina ancylotomus* Schneider, 1801) (Class Elasmobranchii) ;

(4) to place the under-mentioned invalid generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—

- (a) *Analithis* Gistel, 1848 (a junior objective synonym of *Platyrhina* Müller & Henle, 1838) ;
- (b) *Discobatus* Garman, 1880 (a junior objective synonym of *Platyrhina* Müller & Henle, 1838) ;
- (c) *Rhina* Schaeffer, 1760 (a name published in a work rejected for nomenclatorial purposes) ;
- (d) *Rhina* Walbaum, 1792 (a name published in a work rejected for nomenclatorial purposes) ;
- (e) *Rhina* Latreille, [1802—1803] (a junior homonym of *Rhina* Schneider, 1801) ;
- (f) *Rhina* Rafinesque, 1810 (a junior homonym of *Rhina* Schneider, 1801) ;
- (g) *Thamnophilus* Schoenherr, 1823 (a junior homonym of *Thamnophilus* Vieillot, 1816, and a junior objective synonym of *Magdalis* Germar, 1817) ;
- (h) *Magdalinus* Germar, 1843 (a junior objective synonym of *Magdalis* Germar, 1817) ;

(5) to place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :

- (a) *ancylotomus* Schneider, 1801, as published in the combination *Rhina ancylotomus* (specific name of type species of *Rhina* Schneider, 1801) ;

- (b) *barbicornis* Latreille, [1803—1804], as published in the combination *Rhina barbicornis* and as validated under the Plenary Powers under (2)(d) above ;
 - (c) *barbicornis* Fabricius, 1775, as published in the combination *Curculio barbicornis* ;
 - (d) *barbistrotris* Fabricius, 1775, as published in the combination *Curculio barbistrotris* (specific name of type species, by designation, under the Plenary Powers, under (2)(b) above of *Rhinostomus* Rafinesque, 1815) ;
 - (e) *sinensis* Schneider, 1801, as published in the combination *Rhina sinensis* (specific name of type species of *Platyrhina* Müller & Henle, 1838) ;
 - (f) *violaceus* Linnaeus, 1758, as published in the combination *Curculio violaceus* (specific name of type species, by designation, under the Plenary Powers, under (2)(c) above, of *Magdalis* Germar, 1817) ;
- (6) to place the title of the under-mentioned work on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* : Schneider (J.C.), 1760, *Epistola ad Regio-Borussicam Societatem Litterariam Duisbergensem de Studi Ichthyologici faciliori ac tutiori Methodo* (a work in which the author did not apply the principles of binominal nomenclature).

16. Issue of Voting Paper V.P.(O.M.)(54)18 : On 9th July 1954 a Voting Paper (V.P.(O.M.)(54)18) was issued in which the Members of the Commission were invited to vote either for, or against, the “adoption of the proposal relating to the name *Rhina* Schneider, 1801 (Class Elasmobranchii) and *Rhina* Latreille, [1802—1803] (Class Insecta, Order Coleoptera) set out in Annexe 2 to the paper by the Secretary submitted simultaneously with the present Voting Paper ” [*i.e.* the proposal submitted in Annexe 2 to the paper reproduced in paragraph 15 of the present *Opinion*].

17. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period was due to close on 9th August 1954. In view, however, of doubts which arose on the question whether two Members of the Commission (Bradley (J.C.) ; Dymond (J.R.)) had duly received the Voting Papers issued to them, the Secretary gave directions that the Voting Period be extended for a period

sufficient to enable the Commissioners concerned to record their Votes on the duplicate Voting Papers then issued to them. Ultimately, the Voting Period closed on 11th September 1954.

18. Particulars of the Voting on Voting Paper V.P.(O.M)(54)18 :

At the close of the Voting Period, extended as explained in paragraph 17 above, the state of voting on Voting Paper V.P.(O.M.) (54)18 was as follows :—

(a) *Affirmative Votes had been received from the following eighteen (18) Commissioners (arranged in the order in which Votes were received)*⁴ :

Holthuis ; Hering ; Esaki ; Lemche ; Hemming ;
Sylvester-Bradley ; Mertens ; Jaczewski ; Bonnet ;
Boschma ; do Amaral ; Riley ; Pearson ; Vokes ;
Cabrera ; Stoll ; Bradley (J.C.) ; Dymond ;

(b) *Negative Votes :*

None ;

(c) *Voting Paper not returned, one (1) :*

Hankó.

19. Declaration of Result of Vote : On 11th September 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.) (54)18, signed a Certificate that the Votes cast were as

⁴ The following zoologists who were Members of the International Commission at the time of the issue of Voting Paper V.P.(O.M.) (54)18 were not Members of the Commission at the time of the issue of Voting Paper V.P.(52)43 :—

Mr. P. C. Sylvester-Bradley (*Sheffield University, Sheffield, England*)

Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)

set out in paragraph 18 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

20. Preparation of the Ruling given in the present "Opinion" :

On 14th November 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(54)18.

21. The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

- Analithis* Gistel, 1848, *Nat. Thierr.* : x
ancylostomus, *Rhina*, Schneider, 1801, in Bloch, *Syst. Ichthyol.*
 : 352
barbicornis, *Curculio*, Fabricius, 1775, *Syst. Ent.* : 134
barbicornis, *Rhina*, Latreille, [1803—1804], *Hist. nat. gén. partic.*
Crust. Ins. **11** : 103
barbistrostris, *Curculio*, Fabricius, 1775, *Syst. Ent.* : 135
Discobatus Garman, 1880, *Proc. U.S. nat. Mus.* **3** : 523
Magdalinus Germar, 1843, in Schoenherr, *Gen. Spec. Curcul.*
7(2) : 135
Magdalis Germar, 1817, *Mag. Ent* (Germar) **2** : 340
Platyrhina Müller & Henle, 1838, *Arch. Naturgesch.* **4(1)** : 85
Rhina Schaeffer, 1760, *Epistola Stud. ichthyol. Meth.* : 20
Rhina Walbaum, 1792, *Artedi Sueci Gen. Pisc. Ichthyol.* (3)
 (Ed. 2) : 580
Rhina Schneider, 1801, in Bloch, *Syst. Ichthyol.* : 352
Rhina Latreille, [1802—1803], *Hist. nat. gén. partic. Crust. Ins.* **3**
 : 198
Rhina Rafinesque, 1810, *Caratt. nuov. Gen. nuov. Spec. Anim.*
Sicilia : 14
Rhinostomus Rafinesque, 1815, *Analyse Nature* : 115
sinensis, *Rhina*, Schneider, 1801, in Bloch, *Syst. Ichthyol.* : 352
Thamnophilus Schoenherr, 1823, *Isis* (Oken) **1823** : 1136
violaceus, *Curculio*, Linnaeus, 1758, *Syst. Nat.* (ed. 10) **1** : 378

22. The application dealt with in the present *Opinion* was published in the *Bulletin of Zoological Nomenclature* prior to the establishment of the *Official List of Family-Group Names in Zoology* by the Fourteenth International Congress of Zoology, Copenhagen, 1953. It has been ascertained that an addition, or additions, to the foregoing *Official List* and/or to the corresponding *Official Index of Rejected and Invalid Family-Group Names in Zoology* will need to be made in order to complete the action, which, under the General Directives given to the International Commission by the International Congress of Zoology, is required to be taken in the present case. This question is now being examined on a separate File to which the Registered Number Z.N.(G.) 122 has been allotted.

23. At the time of the submission of the application dealt with in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

24. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

25. The present *Opinion* shall be known as *Opinion* Three Hundred and Forty-Five (345) of the International Commission on Zoological Nomenclature.

DONE in London, this Fourteenth day of November, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING